

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CRIMINAL NO. <u>19-3113 JB</u>
)	
vs.)	
)	
ROBERT PADILLA, a.k.a. "Fathead",)	
)	
Defendant.)	

UNITED STATES' MOTION FOR DOWNWARD ADJUSTMENT
IN DEFENDANT'S OFFENSE LEVEL

The United States of America files this motion pursuant to U.S.S.G. § 3E1.1(b) and moves the Court for an order for a one (1) level downward adjustment of the Offense Level in sentencing the above-named defendant. As grounds therefor, the United States provides as follows:

1. Pursuant to U.S.S.G. § 3E1.1(a), the defendant clearly has demonstrated acceptance of responsibility for this offense, and the defendant's offense level should be decreased by two (2) levels.
2. Prior to operation of U.S.S.G. § 3E1.1(b), the defendant's offense level is 16 or greater.
3. The defendant has assisted authorities in the investigation or prosecution of this matter by timely notifying authorities of the defendant's intention to enter a plea of guilty, thereby permitting the government to avoid preparing for trial and permitting the government and the Court to allocate their resources efficiently.
4. Therefore, pursuant to U.S.S.G. § 3E1.1(b), the defendant's offense level should be adjusted downward by one (1) additional level.

WHEREFORE, the United States respectfully requests a downward adjustment in defendant's offense level of one (1) additional level for acceptance of responsibility.

Respectfully submitted,

ALEXANDER M.M. UBALLEZ
United States Attorney

Electronically filed on 11/26/2024

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I HEREBY CERTIFY that a true and correct copy of the foregoing was emailed/delivered to opposing counsel of record and the United States Probation Office, this 26th day of November, 2024.

/s/
MARIA Y. ARMIJO
Assistant United States Attorney